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C O N F I D E N T I A L SECTION 01 OF 02 SARAJEVO 001481

SIPDIS

EUR/SCE (HYLAND, FOOKS), NSC FOR HELGERSON

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TAGS: [PREL](#) [PGOV](#) [PINR](#) [PHUM](#) [KDEM](#) [BK](#)

SUBJECT: BOSNIA - DISENFRANCHISEMENT IN POSAVINA LEAVES  
CROAT PARTIES STIRRED, NOT SHAKEN

REF: SARAJEVO 1435

Classified By: Michael J. Murphy, for reasons 1.4 (b) and (d).

11. (C) SUMMARY. The Central Election Commission (CEC) decided on September 9 not to approve voter registration applications for 2,084 Croats from the Posavina region (details of the Croats' dilemma are reported reftel). The party that helped spearhead the effort to register these Croats is launching an appeal with the Court of Bosnia and Herzegovina and has exchanged verbal fire with the Serbs. Public reaction among political and religious leaders has belied private indifference, suggesting these leaders will exploit the issue to advance their political agendas but care little about the outcome. END SUMMARY.

CEC Says No

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12. (C) The CEC decided on September 9 not to approve voter registration applications for 2,084 Croats from the Posavina region, currently living in Croatia (reftel). The CEC entertained two proposals at its session: 1) including these Croats on a supplemental voter registry, or 2) allowing all five thousand Bosnians whose applications the CEC rejected to submit ballots along with the documents that had been missing from their original applications. (Note: The latter proposal would have benefited both Croats and non-Croats. End Note.) The overwhelming majority of the CEC -- including one of the two Croat members -- opposed both proposals. Our contacts in OHR told us that the proposals failed because the Bosnian election law outlines specific deadlines for registration and voting, and granting an exception to the Posavina Croats would have constituted a de facto prolongation of the registration period. According to OHR, the majority of CEC members were reluctant to grant an exception to those deadlines because they feared deviating from the letter of the law.

Reactions: Court Appeal, Angry Letters

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13. (SBU) Not surprisingly, the Croatian Peasants' Party/New Croat Initiative (HSS/NHI) -- which hoped to win the mayoral position in the Republika Srpska (RS) municipality of Derventa with these additional Croat votes -- has responded to the CEC's decision by sending letters to the CEC and HighRep Lajcak demanding a reversal of the decision. HSS/NHI and the Croatian Democratic Union (HDZ)-1990 together plan to submit an appeal to the Court of Bosnia and Herzegovina, the next legal step for those who are dissatisfied with CEC decisions. The Bosnian daily Oslobodjenje reports, though,

that their appeal might not have legal standing, as it was due 48 hours after the CEC's decision and required a written rejection from CEC of the voter applications. The CEC, according to Oslobodjenje, issued no such written decision. In the meantime, the birth registries for this group were returned to Bosnia from Croatia on September 12, which should allow them to register as Diaspora voters in the 2010 general elections.

#### Parties Exchange Rhetoric

14. (SBU) Croat political and religious leaders are reacting to the CEC's decision with predictable acrimony, hurling invective primarily at the Serb CEC members. Davor Cordas, RS Vice President and member of the HDZ-BiH presidency, declared that the CEC's decision was not surprising, adding that his party will continue to fight for its people and use all legal means to fight this decision. The Bosnian Croat daily newspaper Dnevni List carried a commentary that asserted these Croats are now suffering "the same genocide and expulsion from the same aggressor" that beleaguered them during the war. Cardinal Vinko Puljic called the CEC's decision "scandalous and unreasonable," stressing that it underscores the Serbs' desire to continue to expel Croats from their state. HSS/NHI leader Ivan Krndelj commented that the Serb CEC members' failure to support enfranchisement demonstrates that the RS has failed the test of Dayton and cannot be a permanent entity. In response, representatives of RS PM's Alliance of Independent Social Democrats (SNSD) addressed the CEC, calling Krndelj's statements "hate speech"

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and claiming that the RS has returned 99% of the property belonging to the Posavina Croats but cannot force them to return.

#### Comment

15. (C) Despite their angry statements in the press, Croat leaders have been privately silent on this issue. Puljic had ample face-time with the Ambassador both before and after the CEC made its decision, but he did not bring up the issue. Likewise, our contacts in Mostar -- including highly-placed officials in both HDZs -- did not raise the issue with us. When we raised it with the secretary general of HDZ-1990, he went so far as to say the Posavina Croats politically don't matter. This suggests that Croat political leaders -- at least from the largest two Croat parties -- care more about the issue than the outcome, and more about Herzegovina than their Croat constituency in the RS. But as the elections get closer, we would not be surprised if HDZ-1990 President Bozo Ljubic -- whose party has campaigned aggressively on nationalist themes -- used this outcome as another reason to assert that Croats are the victims of country-wide discrimination and that they require a third entity to protect themselves.

ENGLISH